

---

**THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH**

---

LUDVIK ELECTRIC CO., a Colorado corporation,

Plaintiff,

v.

VANDERLANDE INDUSTRIES INC., a Delaware corporation,

Defendant.

**ORDER GRANTING IN PART AND DENYING IN PART [36] MOTION TO DISMISS (PARTIAL)**

Case No: 2:21-cv-00462

District Judge David B. Barlow

Magistrate Judge Cecilia M. Romero

---

Before the court is Defendant's Motion to Dismiss (Partial).<sup>1</sup> The court considered the briefing, relevant law, and oral argument presented on March 17, 2022. For the reasons stated on the record, the court GRANTS in part and DENIES in part the motion to dismiss.

IT IS HEREBY ORDERED that the motion is GRANTED as to the first and third claims for relief, and the claims are dismissed without prejudice. The motion is DENIED as to the second, fourth, and fifth claims for relief. Plaintiff may file a motion seeking leave to file an amended complaint within sixty days.

DATED March 17, 2022.

BY THE COURT



---

\_\_\_\_\_  
David Barlow  
United States District Judge

---

<sup>1</sup> ECF No. 36.